## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	UNITED STATES OF AMERICA, )			
	Plaintiff,	8:12CR280		
	vs.	DETENTION ORDER		
LANDON J. BLACKDEER,				
	Defendant.			
A.	Order For Detention  After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on April 29, 2010, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).			
B.	<ul> <li>Statement Of Reasons For The Detention         The Court orders the defendant's detention because it finds:         X             By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.             X             By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.         </li> </ul>			
C.	which was contained in the Pretrial Servex X (1) Nature and circumstances of X (a) The crime: assault or 113(a)(1) and (b) car imprisonment.  X (b) The offense is a crime (c) The offense involves a	the offense charged: n a federal officer in violation of 18 U.S.C. § ries a maximum sentence of twenty years e of violence.		
	may affect wh The defendar X The defendar The defendar The defendar The defendar Past conduct The defendar X The defendar	nt appears to have a mental condition which nether the defendant will appear. In that has no family ties in the area. In that has had no steady employment. In that has no substantial financial resources. In the state of the community. In the defendant of the defendant: In that has a history relating to drug abuse. In that has a history relating to alcohol abuse. In that a significant prior criminal record. In that a prior record of failure to appear at lings.  The entire that have a mental condition which has a prior record of failure to appear at lings.  The entire that have a mental condition which has a mental cond		

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(c) Other F	Factors: The defendant is an illegal alien and is subject to
<del></del>	deportation.
	The defendant is a legal alien and will be subject to deportation if convicted.
	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
<del></del>	Other:
	and seriousness of the danger posed by the defendant's sollows: the nature of the charges in the Complaint.
X (5) Rebuttable P	resumptions
In determining that the defendant should be detained, the Court also relied	
	ing rebuttable presumption(s) contained in 18 U.S.C. §
	the Court finds the defendant has not rebutted:
	o condition or combination of conditions will reasonably
	the appearance of the defendant as required and the safety
	other person and the community because the Court finds that ne involves:
X_	(1) A crime of violence; or
	(2) An offense for which the maximum penalty is life
	imprisonment or death; or
	(3) A controlled substance violation which has a maximum
<del></del>	penalty of 10 years or more; or
	(4) A felony after the defendant had been convicted of two
<del></del>	or more prior offenses described in (1) through (3)
	above, and the defendant has a prior conviction for
	one of the crimes mentioned in (1) through (3) above
	which is less than five years old and which was
(b) That a	committed while the defendant was on pretrial release.
	o condition or combination of conditions will reasonably the appearance of the defendant as required and the safety
	community because the Court finds that there is probable
	to believe:
	(1) That the defendant has committed a controlled
<del></del>	substance violation which has a maximum penalty of
	10 years or more.
	(2) That the defendant has committed an offense under 18
	U.S.C. § 924(c) (uses or carries a firearm during and
	in relation to any crime of violence, including a crime of
	violence, which provides for an enhanced punishment
	if committed by the use of a deadly or dangerous weapon or device).

## D. Additional Directives

- Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

  1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
  - The defendant be afforded reasonable opportunity for private consultation 2. with counsel; and

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3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 29, 2012. BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge